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Attorneys for Plaintiff and the Putative Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LYNN HALL, individually and on behalf of
others similarly situated,

Plaintiff,

vs.

COMCAST CORPORATION, COMCAST
OF CALIFORNIA / COLORADO / TEXAS /
WASHINGTON, INC., COMCAST OF
CALIFORNIA / COLORADO /
WASHINGTON I, INC. and DOES 1 to 50

Defendants.

Case No.: 3:11-cv-05174-JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING EXTENSION OF
DEADLINES AS MODIFIED**

CLASS ACTION

STIPULATION

WHEREAS on July 12, 2012, counsel for the parties met and conferred as ordered by the Honorable Joseph C. Spero, regarding Defendant's production of contact information for putative class members;

WHEREAS, the parties agreed that there are potential privacy issues implicated by the release of the putative class members' contact information;

WHEREAS, the parties agreed to provide putative class members the opportunity to opt out of the release of their contact information through the notice process followed in *Pioneer Electronics (USA), Inc. v. Sup. Ct.*, 40 Cal. 4th 360 (2007) and in *Belaire-West Landscape, Inc. v. Sup. Ct.*, 149 Cal.App.4th 554 (2007);

WHEREAS, the parties agree to modify the current stipulated protective order confirming that the parties will only use the putative class member contact information for purposes of this litigation. A modified stipulated protective order will be submitted to the Court for approval by August 6, 2012;

WHEREAS, the parties agree that the current court deadlines, including the August 20, 2012 discovery deadline, must be vacated and new dates scheduled to allow the parties time to complete all necessary discovery. Additional time is also warranted as a result of the *Belaire* notice process and to allow the putative class members the opportunity to opt out of the release of their contact information. To that end, the parties agree to the following schedule:

Plaintiff will provide Defendant with a proposed *Belaire* notice by July 30, 2012;

Defendant will provide Plaintiff with any comments regarding the notice by August 6, 2012;

In the event the parties are unable to agree on the contents of the notice, they will attempt to schedule a call with Magistrate Judge Spero on August 6, 2012, subject to His Honor's availability;

By August 13, 2012, Defendant will provide to a Claims Administrator selected by Plaintiff and approved by Defendant, a complete list of all putative class members and their contact information, including, the name, address, personal and/or personal cellular telephone numbers (to the extent contained in personnel records), employee identification number (or some other means of identifying

each employee) and dates of employment;¹

The Claims Administrator will mail the *Belaire* notice to all putative class members by August 17, 2012;

The putative class members will be provided until September 21, 2012, to opt out of having their contact information released;

By September 25, 2012, the Claims Administrator will provide Plaintiff's counsel with a list of the class members who have not opted out, and their contact information, including, the name, address, personal and/or personal cellular telephone numbers (to the extent contained in personnel records), employee identification number (or some other means of identifying each employee) and dates of employment. Plaintiff's counsel will only use this information for purposes of this litigation, will keep this information confidential, and will not contact putative class members who have informed Plaintiff's counsel that they do not wish to communicate with counsel in this matter. Plaintiff's counsel will maintain a list of those putative class members who have indicated that they do not wish to communicate with counsel, and such list will be maintained for the internal purposes of Schneider Wallace Cottrell Brayton Konecky, LLP in tracking that information;

Plaintiff will file her Motion for Class Certification by January 18, 2013;

Defendant will file its opposition to Plaintiff's Motion for Class Certification by February 22, 2013;

Plaintiff will file her reply to Defendant's Opposition to Plaintiff's Motion for Class Certification by March 8, 2013;

A hearing on Plaintiff's Motion for Class Certification should be set for a date convenient to the Court's calendar.

IT IS SO STIPULATED.

¹ Plaintiff will agree to forego receipt of email addresses at this time *without prejudice* to requesting them at a later date should Plaintiff be unable to reach any putative class member using the produced contact information.

1 DATED: _July 27, 2012_____

SCHNEIDER WALLACE
COTTRELL BRAYTON KONECKY LLP

2
3 /s/ Carolyn H. Cottrell
4 CAROLYN H. COTTRELL
Attorneys for Plaintiff LYNN HALL and the Putative Class

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6 DATED: July 27, 2012_____

LAFAYETTE & KUMAGAI LLP

7 /s/ Rebecca K. Kimura
8 REBECCA K. KIMURA
Attorneys for Defendants COMCAST CORPORATION
9 and COMCAST OF CALIFORNIA / COLORADO /
WASHINGTON I, INC.

ORDER

The Court, having reviewed the parties' stipulation, and good cause appearing, hereby vacates the existing court deadlines, and sets the deadlines as provided above. The parties shall appear on May 10, 2013 at 1:30 p.m. (Joint Case Management Statement due: 5-3-13) ~~November 9, 2012~~, for a Further Case Management Conference. The hearing on Plaintiff's Motion for Class Certification shall be set for APRIL 12, 2013, at 9:00 a.m.

IT IS SO ORDERED.

Dated: July 30, 2012


HON. JEFFREY S. WHITE
United States District Court